



SAN JOAQUIN COUNTY

JOSEPH E. CHELLI
Director

P.O. Box 201056

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Stockton, CA 95201-3006

RECEIVED

SEP 5 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIATel (209) 468-1000
Fax (209) 468-1985CalWORKs
Children's Services
Aging & Adult Services
Mary Graham Children's Shelter

September 2, 2008

*info copy***FILED**

SEP 13 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAFirst Reprographics
1517 West Beverly Blvd.
Los Angeles, CA 90026**RE: Deposition Subpoena
Samuel Bernard Johnson III v. Chevron Corporation, et. al**

To Whom It May Concern:

This is in regard to the deposition subpoena received from your office on the above-referenced case. Because these records are confidential by law, a deposition subpoena will not allow us to release the information you have requested.

Welfare and Institutions Code, Section 10850 indicates that the Human Services Agency records are confidential and that the agency is required by law to assert their confidentiality. This confidentiality extends to every member of the family; therefore, a release of information or litigation by one member of the family is not effective to waive the confidentiality requirements. The confidentiality of the records is not absolute. The confidentiality may be breached after a review of the file in an in camera hearing if it can be shown by the Declaration attached to the Subpoena Duces Tecum that the need for the records outweighs the need to keep the records confidential.



In order to fulfill the requirements listed above, we need to receive a subpoena duces tecum with a court date and time so we may submit the records to a judge for an in-camera review. Because of the above regulations we cannot deliver the records to any place other than a courtroom.

An alternative for custody matters would be to have the mediators review the CPS file. There is a Standing Court Order for San Joaquin County Mediators to review the CPS file.

If you have any questions, please feel free to contact me at the above address or at (209) 468-1434.

Sincerely,

Kathy Courtney

Kathy Courtney, DISS II
Custodian of Records

c: Lashanda Scott
Clerk U. S. District Court





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